

Notice of Allowability	Application No.	Applicant(s)
	10/797,427	GATLIFF, EDWARD G.
	Examiner	Art Unit
	Francis T. Palo	3644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- This communication is responsive to RCE filed 2/13/07.
- The allowed claim(s) is/are 1,7-9,13-24 and 27-29.
- Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - All
 - Some*
 - None
 of the:
 - Certified copies of the priority documents have been received.
 - Certified copies of the priority documents have been received in Application No. _____.
 - Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

- A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
- CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - hereto or 2) to Paper No./Mail Date _____.
 - including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
 Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
- DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- Notice of References Cited (PTO-892)
- Notice of Draftsperson's Patent Drawing Review (PTO-948)
- Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
- Examiner's Comment Regarding Requirement for Deposit of Biological Material
- Notice of Informal Patent Application
- Interview Summary (PTO-413),
Paper No./Mail Date _____
- Examiner's Amendment/Comment
- Examiner's Statement of Reasons for Allowance
- Other _____

Francis T. Palo
Primary Examiner
Art Unit: 3644

DETAILED ACTION

Continued Prosecution Application

The Request for Continued Examination filed 2/13/07 is accepted and an action on the merits follows.

Response to Amendment/Remarks

Applicant's arguments and remarks filed 1/29/07 in regard to the interview held at the PTO on 12/18/06 and phone consultations held prior to that interview with respect to the independent claim have been fully considered and are persuasive.

The application is now in condition for allowance in consideration of the claim amendment, and the new independent claim-29 which recites the previously indicated allowable subject matter previously recited in claim-6 is likewise allowable.

Allowable Subject Matter

Claims 1, 7-9, 13-24 and 27-29 are allowed.

The following is an examiner's statement of reasons for allowance:
The basis for the phone and in-person interviews was an attempt to come to an agreement on claim language to overcome the closest prior art to Ploeger (US 4,457,102); this has been achieved by the amended claim language.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

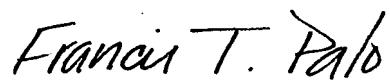
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Francis T. Palo whose telephone number is 571-272-6907. The examiner can normally be reached on M-Tu., Th.-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teri Luu can be reached on 571-272-7045. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Francis T. Palo
Primary Examiner
Art Unit 3644